IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	NITED STATES OF AMERICA)) 8:08CR201			
Plaintiff,) 8.00CR201			
	vs.) DETENTION ORDER			
MA	MALIK JARMON,				
	Defendant.	\			
A.	Order For Detention After waiving a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on June 10, 2008, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).				
B.	 Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. X By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community. 				
C.	I) carries a maximum senthe possession of ammuviolation of 18 U.S.C. § 9 ten years imprisonment. (b) The offense is a crime of (c) The offense involves a natural control of the control	nd includes the following: offense charged: with intent to distribute marihuana (Count tence of twenty years imprisonment; and nition by a convicted felon (Count II) in 22(g)(1) carries a maximum sentence of violence.			
	may affect wheth The defendant ha X The defendant ha X The defendant ha The defendant is The defendant d ties. Past conduct of ti X The defendant ha	opears to have a mental condition which er the defendant will appear. The as no family ties in the area. The as no steady employment. The as no substantial financial resources. The as not a long time resident of the community oes not have any significant community the defendant: The as a history relating to drug abuse. The as a history relating to alcohol abuse. The as a significant prior criminal record. The as a prior record of failure to appear at as.			

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			X Supervised Release - 8:01CR123 (D. Nebr.)
			Parole Release pending trial, sentence, appeal or completion of
			sentence.
		(c)	Other Factors:
		()	The defendant is an illegal alien and is subject to
			deportation.
			The defendant is a legal alien and will be subject to
			deportation if convicted.
			The Bureau of Immigration and Custom Enforcement (BICE) has placed a detainer with the U.S. Marshal.
			Other:
X	(4)		nature and seriousness of the danger posed by the defendant's
			se are as follows: The nature of the charges in the Indictment and the
		deten	dant's criminal history.
Χ	(5)	Rehu	ttable Presumptions
	(5)		ermining that the defendant should be detained, the Court also relied
			e following rebuttable presumption(s) contained in 18 U.S.C. §
			e) which the Court finds the defendant has not rebutted:
	_X	(a)	That no condition or combination of conditions will reasonably
			assure the appearance of the defendant as required and the safety
			of any other person and the community because the Court finds that
			the crime involves:
			(1) A crime of violence; or(2) An offense for which the maximum penalty is life
			imprisonment or death; or
			X (3) A controlled substance violation which has a maximum
			penalty of 10 years or more; or
			(4) A felony after the defendant had been convicted of two
			or more prior offenses described in (1) through (3)
			above, and the defendant has a prior conviction for
			one of the crimes mentioned in (1) through (3) above
			which is less than five years old and which was
	V	(h)	committed while the defendant was on pretrial release.
		(D)	That no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety
			of the community because the Court finds that there is probable
			cause to believe:
			X (1) That the defendant has committed a controlled
			substance violation which has a maximum penalty of
			10 years or more.
			(2) That the defendant has committed an offense under 18
			U.S.C. § 924(c) (uses or carries a firearm during and
			in relation to any crime of violence, including a crime of
			violence, which provides for an enhanced punishment if committed by the use of a deadly or dangerous
			weapon or device).

D. Additional Directives
 Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:
 1. The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from

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- persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: June 10, 2008.

BY THE COURT:

s/ Thomas D. Thalken United States Magistrate Judge